



JC04 REC'd PCT/PTO 16 NOV 2005

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PATENT  
32860-000902/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application. No.: 10/540,208  
Applicant(s): Walter GUMBRECHT et al.  
Int'l Appl. No.: PCT/DE03/04137  
Conf.: 5284  
Filed: June 20, 2005  
For: BIOCHIP

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**RESPONSE TO NOTICE TO FILE MISSING  
REQUIREMENTS OF AN APPLICATION**

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
**Mail Stop PCT**

November 16, 2005

Sir:

Under the provisions of 37 C.F.R. § 1.494 or 37 C.F.R. § 1.495, attached hereto are the following additional items necessary for entering the national phase in connection with the above-identified PCT international application.



Executed Declaration and Power of Attorney.



Original



Photocopy

☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification which was filed in the U.S. Patent and Trademark Office on \_\_\_\_\_, including any amendments thereto (if applicable) filed on even date therewith.

☒ The undersigned hereby declares that "**Attorney Docket No. 32860-000902/US**" on page 1 of the attached inventors' Declaration filed on **November 16, 2005**, corresponds to **Appl. No. 10/540,208** filed **June 20, 2005** entitled "**BIOCHIP**."

☐ English language specification, claims, and Abstract with \_\_\_\_ (\_\_\_\_) sheets of drawings.

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

☒ Attached is a copy of Form PCT/DO/EO/905-Notice of Missing Requirements.

☐ Other: \_\_\_\_\_

☒ No extension fee is required because the undersigned has filed the documents within the allotted time given by the Notification of Missing Requirements (Form PCT/DO/EO/905). However, if for some reason it is determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.

☐ Applicant(s) hereby respectfully petitions for \_\_\_\_ (\_\_\_\_) month(s) extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$0.00 is attached hereto.

☒ The Government Filing Surcharge in the amount of **\$130.00** in accordance with 37 C.F.R. §§ 1.494 and 1.492 **was previously paid for** concurrently with the filing of the application on **June 20, 2005**.

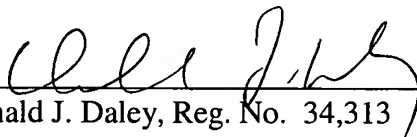
☒ Submitted concurrently herewith **under separate cover** for recording is an Assignment via facsimile.

- ☐ A Fee of \$0.00 to cover the increase in fees of the filing Surcharge is enclosed.
- ☐ Check(s) in the amount of \$0.00 to cover the above-mentioned fees is/are enclosed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By   
Donald J. Daley, Reg. No. 34,313

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Reston, VA 20195  
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DJD/let  
Attachments: As stated above



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,208	Walter Gumbrecht	32860-000902/US

INTERNATIONAL APPLICATION NO.
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PCT/DE03/04137

I.A. FILING DATE	PRIORITY DATE
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12/01/2003

30596

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*Miss Rep. 12/31/05*

CONFIRMATION NO. 5284

371 FORMALITIES LETTER



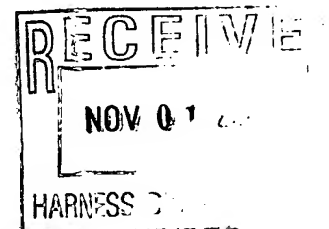
\*OC000000017358928\*

Date Mailed: 10/31/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Copy of IPE Report filed on 06/20/2005
- Preliminary Amendments filed on 06/20/2005
- Information Disclosure Statements filed on 06/20/2005
- Request for Immediate Examination filed on 06/20/2005
- U.S. Basic National Fees filed on 06/20/2005
- Substitute Specification filed on 06/20/2005
- Priority Documents filed on 06/20/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,208	PCT/DE03/04137	32860-000902/US

FORM PCT/DO/EO/905 (371 Formalities Notice)